

8753 Muralla Way - REVISED

City of El Paso — City Plan Commission — 2/21/2019



PZCR18-00001 Condition Release

| | |
|------------------------------|--|
| STAFF CONTACT: | Anne Guayante, (915) 212-1814, guayanteam@elpasotexas.gov |
| OWNER: | Valle del Colibri, LLC. |
| REPRESENTATIVE: | Exigo Architects |
| LOCATION: | 8753 Muralla Way, District 7 |
| LEGAL DESCRIPTION: | Parcel 1: Tract 12-A, Block 6, Ysleta Grant, City of El Paso, El Paso County; Parcel 2: Tract 2, Ysleta Grant, City of El Paso, El Paso County; Parcel 3: Tract 3-B, Block 6, Ysleta Grant, City of El Paso, El Paso County, Texas |
| EXISTING ZONING: | R-3A/c (Residential/conditions) |
| REQUEST: | A Release from the Requirements of Condition #2 imposed by Ordinance 16813 |
| RELATED APPLICATIONS: | PZRZ17-00014, a request to rezone the subject property from R-3A/c to A-O |
| PUBLIC INPUT | No public comment received; Notices sent to property owners within 300 feet on February 7, 2019 |
| STAFF RECOMMENDATION: | Approval (see pages 2—4 for basis for recommendation) |

SUMMARY OF REQUEST: The applicant requests to release a condition limiting the density of the subject property to 90 units over its seventeen acres to allow a proposed apartment complex similar in character to its immediate neighbors to the east.

SUMMARY OF RECOMMENDATION: The Planning Division recommends **APPROVAL** of the Condition Release request. The density condition imposed by Ordinance 16813 is no longer necessary to protect the health, safety, and general welfare of the subject property's neighborhood and the city as a whole. The proposed development as depicted is consistent with other commercial and low-to-medium density residential districts and uses in the immediate area, and meets the established character of its surrounding neighborhood. Further, the proposed development meets the intent of the G-3, Post War future land use designation of Plan El Paso, the City's Comprehensive Plan.



The subject property is currently required to comply with the conditions/special contract provisions imposed by Ordinance 16813, which states in part:

The applicant is requesting to be released from this condition to allow for construction of an apartment complex. The condition was imposed on the subject property because of neighborhood concerns, and due to the configuration of the access previously proposed for the subject property. This condition is no longer necessary to protect the health, safety, and welfare of the neighborhood surrounding the subject property and the city as a whole. The subject property is currently vacant. The proposed use of the subject property is an apartment complex. The General Concept Plan shows an apartment complex with administrative offices and a club house. Access is proposed from Muralla Way and Cristo Viene Streets.



- The relation of the proposed change to the city's comprehensive plan;
- The effect upon the natural environment;
- The effect upon social and economic conditions and property values in the vicinity and in the city as a whole.

Planning Staff has reviewed the general concept plan and found that it meets all applicable requirements. The character and scale of the improvements shown are consistent with the established character of the surrounding neighborhood.

RELATION OF PROPOSED CHANGE TO THE CITY'S COMPREHENSIVE PLAN

| CONSISTENCY WITH PLAN EL PASO | DOES IT COMPLY? |
|---|---|
| <p><u>G-3 Post-War:</u> This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.</p> | <p>The proposed zoning district allows for development that is consistent with the character of the G-3 (Post-War) Future Land Use designation, and will further the goals of this growth sector by supplementing the limiting housing stock and augment the available housing types within its established neighborhood.</p> |
| ZONING DISTRICT | DOES IT COMPLY? |
| <p><u>A-O (Apartment-Office)</u> The purpose of this district is to promote and preserve residential development within the city associated with a landscape more urban in appearance and permitting a mixture of housing types. It is intended that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The regulations of the district will permit building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain nonresidential uses and support facilities.</p> | <p>The proposed apartment use is allowed within the proposed Apartment-Office District, and the development meets the intent of the proposed district.</p> |
| <p><u>Plan El Paso</u> Policy 2.2.2: The design of new neighborhoods and additions to existing neighborhoods should strive for a mix of housing types to create neighborhoods that accommodate diverse ages and incomes and allow residents to trade up, downsize, or create multi-generational households without being forced to leave the neighborhood. Housing types include both small and large single-family detached homes, duplexes, townhouses, multi-family buildings, live-work units, and accessory dwelling units, and include both rental apartments and units that can be owned by their occupants.</p> | <p>Yes, the property is designated G-3, Post-War and meets the intent by proposing to increase the supply of multi-family housing within an established neighborhood consisting of single-family housing stock, some multi-family housing stock, and commercial uses.</p> |

SUITABILITY OF SITE FOR PROPOSED USE UNDER CURRENT ZONING: Related to this application is a request to rezone the subject property from R-3A (Residential) to A-O (Apartment-Office) to accommodate the proposed apartment development. The proposed apartment complex is permitted in the A-O (Apartment-Office) District. The subject property could currently be developed into a single-family residential neighborhood which would allow it to meet the condition from which release is sought, though the unique site constraints presented by the size and configuration of the subject property would pose substantial challenges.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE: The intent of the Zoning Ordinance is to protect the public health, safety, and general welfare; to regulate the use of land and buildings within zoning districts to ensure compatibility, and to protect property values. The intent of the A-O (Apartment-Office) District is to that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The proposed condition release would allow the subject property to augment the limited multi-family housing stock present within its neighborhood and provide a transition between the single family and commercial and civic uses bordering the subject property.

ADEQUACY OF PUBLIC FACILITIES AND SERVICES: The proposed improvements were reviewed for adequacy of the existing infrastructure and it was found to be capable of supporting the proposed development once it has been platted.

EFFECT UPON THE NATURAL ENVIRONMENT: The subject property is not within an arroyo or environmentally sensitive area.

STAFF COMMENTS: No objections to proposed condition release. No reviewing departments had any negative comments. Platting, extension of utility lines, and construction of vehicle access bridges will be required prior to development. Applicant is responsible for obtaining all applicable permits and approvals prior to any construction or change in occupancy.

OTHER APPLICABLE FACTORS: Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that stormwater is in compliance with ordinances, codes, DSC, and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

ATTACHMENTS:

1. Ordinance 16813
2. Zoning Map
3. Comprehensive Plan Map
4. Department Comments
5. Owner Notification Map

ATTACHMENT 1: ORDINANCE 16813

See following pages

ORDINANCE NO. 016813

AN ORDINANCE CHANGING THE ZONING OF TRACTS 2, 3-B AND 12A, BLOCK 6, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO R-3A (RESIDENTIAL), AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of *Tracts 2, 3-B and 12A, Block 6, Ysleta Grant, City of El Paso, El Paso County, Texas*, be changed from **R-F (Ranch and Farm)** to **R-3A (Residential)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

Further, that the property described above be subject to the following conditions which are necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

- (1) *That an eight foot (8') high masonry screening wall shall be required within the property along the northwesterly property line where it abuts R-F (Ranch and Farm) zoning; and,*
- (2) *That the density be limited to no more than ninety (90) units.*

PASSED AND APPROVED this 2nd day of January, 2008.

THE CITY OF EL PASO

John F. Cook
John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Kimberly Forsyth
Kimberly Forsyth, Senior Planner
Development Services Department

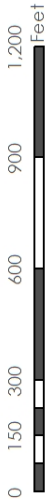
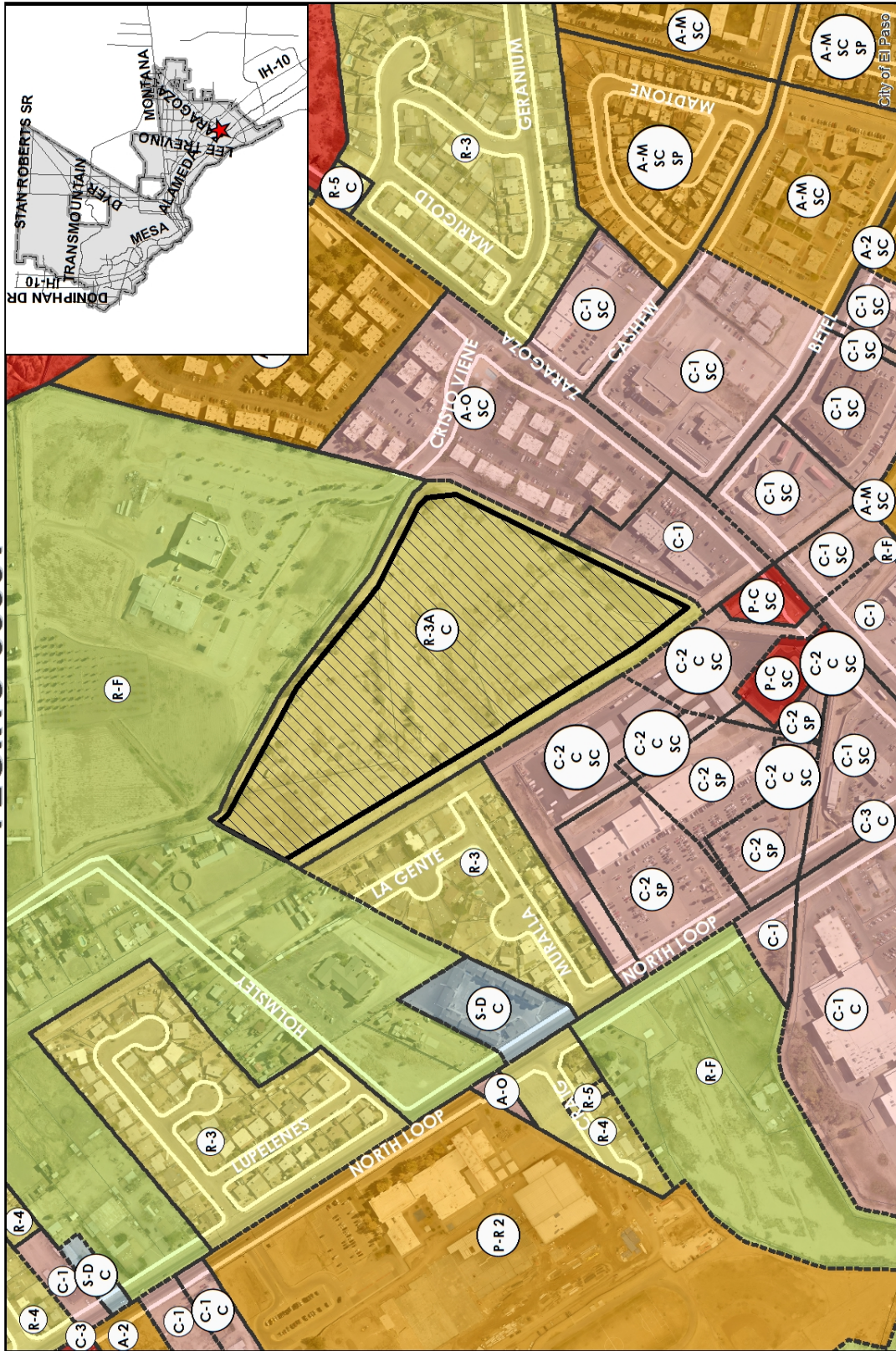
CITY CLERK DEPT.
07/NOV 19 PM 3:00

ORDINANCE NO. 016813

Zoning Case No: ZON07-00111

ATTACHMENT 2: ZONING MAP

PZCR18-00001



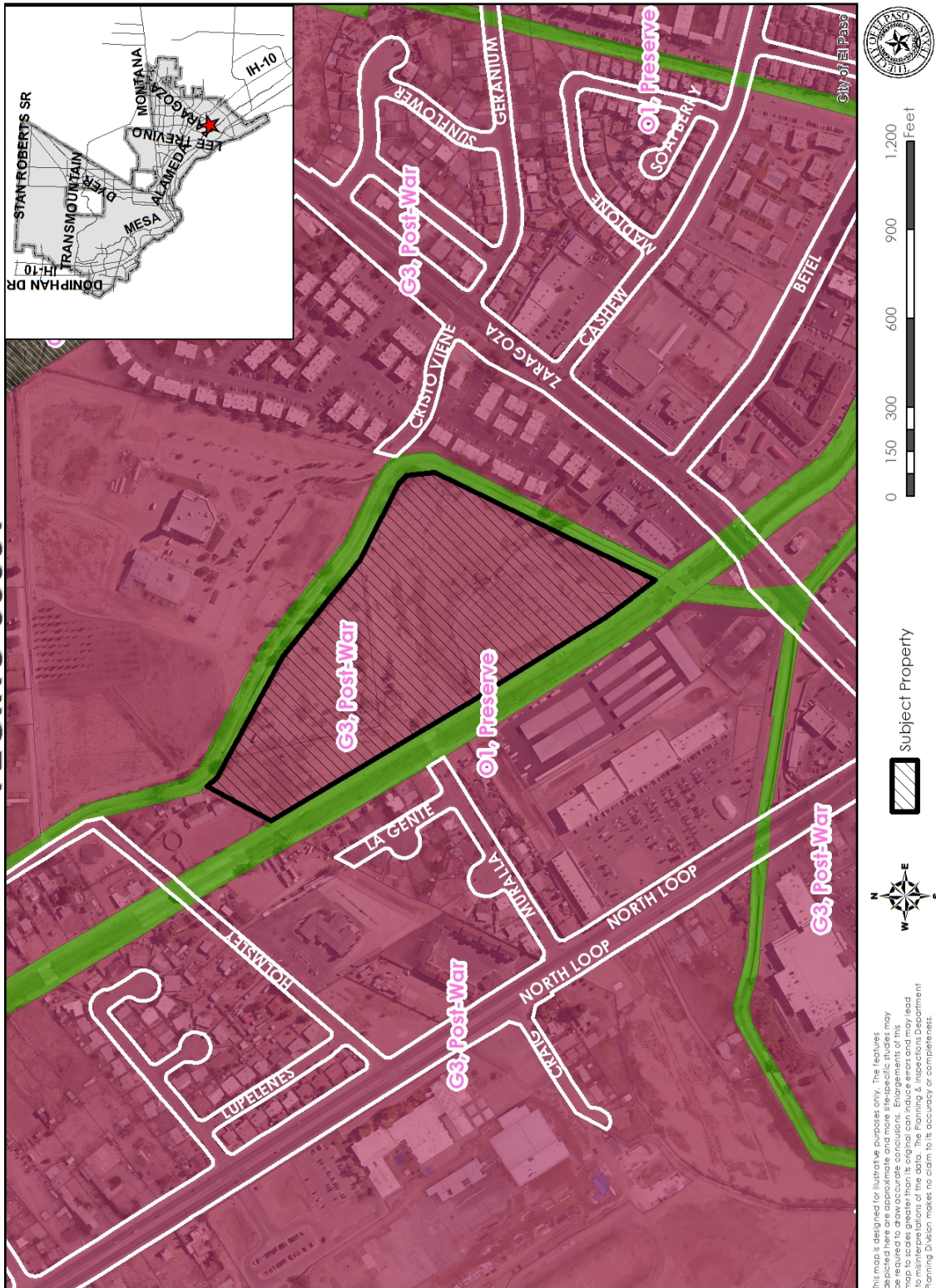
Subject Property



This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to draw accurate conclusions. Enlargements of this map to scales greater than its original can induce error and may lead to incorrect conclusions. The City of El Paso Planning Department Planning Division makes no claim to its accuracy or completeness.

ATTACHMENT 3: FUTURE LAND USE MAP

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ATTACHMENT 4: DEPARTMENT COMMENTS

Planning and Inspections Department - Planning Division

1. The subject property is currently three separate lots. Platting will be required prior to the issuance of building permits.
2. Note that the A-O District allows a maximum 50% lot coverage.
3. The administrative office portion of the development will require 1 parking stall per 576 square feet of office use. The community center portion will require 1 parking space per 475 feet of that use.

Texas Department of Transportation

Concurs with TIA as updated

Planning and Inspections Department – Plan Review & Landscaping Division

Recommend approval. Proposed development shall comply with adopted codes at the time of submittal.

Planning and Inspections Department – Land Development

1. No objections to the proposed release of conditions.

Fire Department

Fire recommends approval.

1. All buildings proposed to be over 30 feet in height shall comply with Section D105 – Aerial Fire Apparatus Access Roads, D105.3 Proximity to Building. At least one the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building and Fire Apparatus Access Roads Section 503.1.1 – Buildings and Facilities of the International Fire Code 2015.
2. For the site plan review, other than weight requirements over the canal in the back of the project, I'd say yes [comment 1 addresses Fire's concerns]. Streets will review the access from North Loop issue and possibly the canal issue in the rear. The weight requirements for bridging the canal are pretty important.

Police Department

No comments. Thank you for the opportunity.

Sun Metro

No objections.

El Paso Water Utilities

We have reviewed the zoning change request described above and provide the following comments:

1. Within the Mesa Drain right-of-way there is an existing forty-two (42) inch diameter sanitary sewer interceptor. If service to this Property will be provided from this main, sanitary sewer main extensions will be required to discharge into an existing manhole pertaining to the 42-inch diameter interceptor. The main is further described in the sanitary sewer portion of these comments.
2. Due to this proposed development, the existing six (6) inch diameter water main located along Muralla Way requires to be upgraded to an eight (8) inch diameter main. Similarly, in the event that service may be obtained from the existing six (6) inch diameter main that extends along Holmsley Trail, EPWater requires for the 6 inch diameter water main to be upgraded to eight (8) inches in diameter. Both water mains are further described in the water portion of these comments.
3. EPWater does not object to this request.

EPWU-PSB Comments

4. From the intersection of Muralla Way and La Gente Way along Muralla Way there is an existing six (6) inch diameter water main. This main dead-ends at approximately 104 feet north of La Gente Way.
5. Along Holmsley Trail Drive between Mesa Drain and the Juan De Herrera Lateral there is an existing six (6) inch diameter water main.
6. From the intersection of Cristo Viene Drive (formerly Geranium Drive) and Zaragoza Road along Cristo Viene Drive towards the west there is an existing eight (8) inch diameter water main. This main dead-ends approximately 465 feet west of Zaragoza Road.
7. Previous water pressure readings conducted on fire hydrant number 360 located at the corner of Muralla Way and La Gente Way have yielded a static pressure of 110 pounds per square inch (psi), residual pressure of 106 psi, discharge of 1,061 gallons per minute (gpm).
8. Previous water pressure readings conducted on fire hydrant number 5038 located along Cristo Viene Drive approximately 300 feet west of Zaragoza Road have yielded a static pressure of 100 pounds per square inch (psi), residual pressure of 80 psi, discharge of 1,300 gallons per minute (gpm).
9. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer

10. From the intersection of Muralla Way and La Gente Way along Muralla Way there is an existing eight (8) inch diameter sanitary sewer main. This main dead-ends at approximately 80 feet north of La Gente Way. The depth of this main at the dead-end point is three (3) vertical feet approximately.

11. Along Holmsley Trail Drive between Mesa Drain and the Juan De Herrera Lateral there is an existing twelve (12) inch diameter sanitary sewer main.
12. From the intersection of Cristo Viene Drive (formerly Geranium Drive) and Zaragoza Road along Cristo Viene Drive towards the west there is an existing eight (8) inch diameter sanitary sewer main. This main dead-ends at approximately 475 feet west of Zaragoza Road.
13. Within the Mesa Drain right-of-way there is an existing forty-two (42) inch diameter sanitary sewer interceptor. This main is located approximately 35 feet north of the Mesa Drain center line. No direct service connections are allowed to this main as per the El Paso Water - Public Service Board Rules & Regulations. In the event that service to this Property may be available from this main, sanitary sewer main extensions will be required to discharge into an existing manhole pertaining to the 42-inch diameter interceptor. The design of the proposed sanitary sewer collection system to serve this property will enable discharge(s) to the sanitary sewer manhole(s) pertaining to the described 42-inch diameter interceptor.

General

14. Permits from the El Paso County Water Improvement District No. 1 (EPCWID No. 1) will be required for the proposed water and/or sanitary sewer facilities construction within the Mesa Drain right-of-way and the Juan De Herrera right-of-way. The Owner/Developer will be responsible for all costs associated with the acquisition of the EPCWID No. 1 permits.
15. De-watering may be required to enable the construction of water mains, sanitary sewer mains and related appurtenant structures. All costs associated with the acquisition of de-watering permits, de-watering discharge fees and all de-watering costs are the responsibility of the Owner/Developer.
16. Due to this proposed development, the described existing water main located along Muralla Way requires upgrading to eight (8) inch diameter. This upgrade will commence from North Loop Drive to the subject Property. All costs associated with the required water main upgrade are the responsibility of the Owner/Developer. Water service is anticipated to be provided by means of extensions from the proposed main located along Muralla Way and the existing main located along Cristo Viene Drive.
17. In the event that water and/or sanitary sewer main extension would be required from the described existing water and sanitary sewer mains located along Holmsley Trail Drive, easements within the properties located west of this development (Tract 10B-1 and Tract 10-B, Ysleta Grant) will be required. Similarly, EPWater requires for the existing six (6) inch diameter water main that extends along Holmsley Trail to be upgraded to eight (8) inches in diameter.
18. The Developer is responsible for the acquisition of all off-site and on-site easements and all costs associated with the easement acquisitions.
19. All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWater-PSB Easement Policy.
20. Easement grantor shall indemnify, defend, and hold harmless the El Paso Water – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the El Paso Water – Public Service Board which may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.

21. The alignment and location of the proposed EPWater-PSB easement shall enable the placement of water meters outside of the parking areas and minimize the length of services. No vehicular traffic is allowed over the water meters. EPWater-PSB requires access to the proposed water, sanitary sewer facilities, appurtenances, and meters within easements 24 hours a day, seven (7) days a week.
22. No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water - Public Service Board Easements without the written consent of EPWater-PSB.
23. The PSB easement shall be improved to allow the operation of EPWater maintenance vehicles.
24. Proposed surface improvements such as paving, landscaping, other types of low maintenance surfacing shall be reviewed for approval by EPWater-PSB.
25. Use of low maintenance easement surface improvements is required. The Owner of the property is responsible for maintenance of the easement surface; surface maintenance is not the responsibility of EPWater-PSB.
26. EPWater-PSB requests the Developer to refrain from constructing rock walls or any structure that will interfere with the access to the PSB easements.
27. EPWater-PSB requests the Developer to refrain from constructing signs within the PSB easements.
28. EPWater requires a new service application to initialize design of the water and sanitary sewer main extensions to serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWater – PSB Rules and Regulations. The owner is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Stormwater:

29. We have reviewed the property described above and provide the following comments:
30. This development has been seen under the 5-Day review under the name of Valle Del Colibri.
31. Any development within Special Flood Hazard Areas shall comply with Section 18.60 - Flood Damage Prevention and Section 19.19 - Stormwater Management Requirements of the City of El Paso's municipal code.
32. On the Drainage Plan, provide the capacity of the proposed ponds: any ponding area shall have enough capacity to hold the developed runoff for a designed 100-yr storm event.
33. EPW - Stormwater Engineering recommends using principles of low impact & green infrastructure development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff and to mitigate adverse downstream drainage conditions.

ATTACHMENT 5: OWNER NOTIFICATION MAP

